

APPROVED

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: April 15, 2003

TIME: 7:30 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Dini Healy-Coffin, Chris Romeo, Robert Jefferies,
Allan Loiselle

OTHERS

PRESENT: Steve Ledoux-Town Manager; Bill Olsen-School Business Manager; Steve Foster-School Superintendent; Sharon Boonstra-Chairman of the School Committee; Liz Adams, Chairman of the Finance Committee; School Committee Members; Finance Committee Members; Andrea Peraner-Sweet, Planning Board, Mike Green-Vice Chairman Planning Board; Ellen Harde-Town Moderator; Ellen Rainville-Library Director; Ingrid Nielson-Master Plan Implementation Committee; Jim Silva-Cable Advisory Committee, Audience Members

Open Forum

There was no input from the Board or the audience.

All Boards Meeting to Discuss Annual Town Meeting

Harde was concerned that several Boards were not represented at the meeting. Healy-Coffin assured Harde that everyone was notified by e-mail of the meeting.

Ledoux read the list of warrant articles for the Annual Town Meeting scheduled for Saturday, May 10, 2003 at 10:00 a.m., Abbot School.

Article 1: Town Reports

Ledoux explained Article 1. Harde reported that the Recreation Master Plan Committee and the Master Plan Implementation Committee will be making reports. Appreciation awards will be presented at 12:30 p.m.

Article 2: Property Tax Exemption

Ledoux explained Article 2.

Article 3: Compensation Plan Amendment

Ledoux explained Article 3.

Article 4: Fiscal Year 2004 Operating Budget

Ledoux reported that the Local Aid numbers are still unknown at this point. The House Ways and Means Committee budget will be presented next week. Ledoux stated that the Town Manager's budget is at a 20% cut because of the uncertainty of Local Aid. The Selectmen felt that Local Aid could come in at 14% and will offer put backs to the budget. Healy-Coffin stated that the Board will make a recommendation of Article 4 on April 29, 2003.

Liz Adams, Chairman of the Finance Committee, reported that the Finance Committee's recommendation on Article 4 (Operating Budget) agrees with the Town Manager's recommendation. The Finance Committee recommended a level-funded budget and in some budgets there is a cut to the FY03 budget.

Jefferies reported that he has received numerous telephone calls from residents concerned with the use of money for the freshman athletics, bonding items for the Day School boiler and emergency generator, the Abbot School elevator, pay raises for School Administrative employees, and the proposed use of the Millennium School. Jefferies questioned the use of the funds for the athletic program which was low on the School Committee's list of priorities. Jefferies asked if the Abbot School elevator was scheduled to be completed. Jefferies was concerned that School Administrative employees are getting raises and that Town Hall non-union employees are not. Jefferies stated that it seemed odd to give raises when the Town is strapped for money. Jefferies stated that the Millennium School is slated to be used for School Administration and SPED kindergarten classrooms. Jefferies suggested that the Millennium School be leased to another town. Jefferies suggested that the Board think about voting to reconsider a level-funded budget for the School Department.

Bill Olsen, School Business Manager, stated that they approached this budget process with integrity and honesty. Olsen stated that when they received notification of the petition article (Article 5 – Appropriation for Freshman Sports at Westford Academy) they became concerned that it would create a difficult scenario on Town Meeting floor. Olsen stated that the School Department did not want any other budget reduced to fund athletics so they looked at alternative revenue sources for funding. The School Department decided to use the Athletic Revolving Account. Jefferies asked if the School

Committee's priority list was a genuine list. Sharon Boonstra, Chairman of the School Committee, stated that the School Committee did not want to pit one department against

another so they decided to use the Athletic Revolving Account. Boonstra stated that the first item on the priority list is buses.

School Capital Items – Abbot School Elevator

Olsen stated that it was in the best interest to not pursue the Abbot School elevator while the window project was ongoing. The elevator project has been deferred to possibly the summer of 2004.

Day School Boiler and Emergency Generator – Olsen reported that he has been in discussions with Keyspan Energy Delivery regarding a rebate plan that would reduce the cost of the project by approximately one-half. Olsen also reported that Suzanne Marchand, Finance Director, indicated that with bonding money there is \$40,000 - \$45,000 in bond proceeds to be used to fund the generator. Ledoux to speak to Town Counsel or Bond Counsel for clarification.

Administrative Salary Increases – Olsen stated that the increases were a part of the budget. Olsen stated that the Town needs to stay competitive with other Towns relative to salaries. Olsen asked if non-union Town employees said that they would forego an increase or will there be salary increases at the fall Town Meeting. Ledoux stated that there is no money in the budget for exempt employees nor is there any money for the Police and Fire contracts. Ledoux stated that funding the Compensation Reserve would be his top priority.

Millennium School – Olsen reported that it is unfeasible to sell the building in the current economy. Olsen stated that it would be expensive to try to sell the building and pay off the debt. Olsen stated that after looking at alternatives it was decided to move the SPED kindergarten classes and the School Administration offices to the Millennium School. Olsen pointed out that the Superintendent's office is in need of repair and that they are running out of space. Moving the Administration offices would free up 2 to 3 classrooms at the Abbot School to meet the growing needs of the Town. Olsen stated that the Town paid \$2.8M for the building and the return on the building if sold would be \$700,000. Olsen stated that with principal and interest the payoff would be considerable. Olsen stated that the School Department does not want to ask the taxpayers to fund another permanent facility. Jefferies noted that residents are asking if Town Meeting should decide what to do with the building. Romeo asked if the School Committee had the authority to make the decision to use the building. Ledoux stated that Town Counsel has indicated that the building is considered personal property. Ledoux stated that his issue involved the motion passed at Town Meeting which stated that the building would be used for short-term kindergarten through grade 8 school needs. The building has been in use for 3 years. Olsen stated that the School Department would hold on to the Town Farm Road facility in case the School Administration offices had to move back because of enrollment increases. Olsen stated that the Town Farm Road

building would be inspected weekly by the maintenance staff and heated during the winter months. Roof repairs will be done during April vacation at a cost of approximately \$3,000 - \$4,000. Olsen stated that the maintenance staff and summer workers will handle the move from Town Farm Road to the Millennium School. Olsen roughly estimated the cost to move to be \$10,000 - \$15,000. Jefferies asked Ledoux to

determine if the use of the building is within the School Department's statutory authority.

Harde asked if the School Committee would be making amendments to Article 4. Boonstra stated that there have been no discussions regarding amendments on Town Meeting floor. Romeo stated that when the Board took its vote it was with the understanding that put backs would be done in a certain way. Romeo was concerned that the bond items are not happening the way the Board thought they would happen. Romeo was also concerned with amendments on Town Meeting floor. Jefferies stated that he would like to think about what Olsen said and what the State will do regarding Local Aid and take action on April 29th. Boonstra stated that the School Committee went back and revisited the list of priorities with input from the leadership team. The School Committee decided to keep the same list of priority items. Adams suggested that if the cuts from the State are more than 20% the Board might consider calling a special election during the summer.

Article 5: Appropriation for Freshman Sports at Westford Academy *By Petition*

Healy-Coffin reported that the petitioners said that they would withdraw Article 5 on Town Meeting floor. Jefferies asked Ledoux to get an opinion from Town Counsel regarding petitioners making motions at Town Meeting.

Article 6: Fiscal Year 2003 Supplemental Appropriations

Ledoux explained Article 6. Ledoux to have more definitive numbers by the April 29th meeting.

Article 7: Fiscal Year 2003 Transfers

Ledoux explained Article 7. Ledoux to have more definitive numbers by the April 29th meeting.

Article 8: Revolving Funds

Ledoux explained Article 8.

Article 9: Highway Department Chapter 90 Funds

Ledoux explained Article 9.

Article 10: Highway Department Chapter 90 Funds

Ledoux explained Article 10.

Article 11: Brookside Mill

Ledoux explained Article 11.

Article 12: Rescind Article May 2002

Ledoux explained Article 12.

Article 13: Brookside Mill Dam Repairs

Ledoux explained Article 13. Harde noted that there is new language regarding the acquisition of sidewalk easements. Ledoux stated that there are no costs associated with the sidewalk easements.

Article 14: Capital Requests/Various Departments

Ledoux explained Article 14. Ledoux reported that he will be meeting with department heads on Wednesday, April 16, 2003 to discuss the possibility of deferring Article 14 to fall Town Meeting. Ledoux stated that he is also looking again at shared technology with the School Department. Ledoux to provide a report to the Selectmen and the Finance Committee.

Article 15: School Buildings and Facility Repairs

Ledoux explained Article 15. The Board asked for additional information before making a recommendation.

Article 16: Acceptance of MGL Chapter 140/Section 139

Ledoux explained Article 16.

Article 17: Amendment to Chapter 1 Section 1.4 of General Bylaws *Cons Com*

Ledoux explained Article 17. Ledoux reported that the Conservation Commission is discussing whether to withdraw Article 17. The Board asked Ledoux to invite the Conservation Commission to the April 29th meeting for an update.

Article 18: Scenic Road Bylaw *By Petition*

Ledoux stated that Concord Road is a State numbered road and cannot be designated as Scenic. The petitioners will be making a resolution at Town Meeting.

Article 19: Change of Zoning Classification *Planning Board*

Article 20: Amendment to Zoning Bylaws/Table of Dimensional and Density Regulation *Planning Board*

Article 21: Amendment to Zoning Bylaw and Map *Planning Board*

Article 22: Amendment to Zoning Bylaw *Planning Board*

Article 23: Amendment to Zoning Bylaw *Planning Board*

Article 24: Land Gift from SINWM Associates *Planning Board*

Article 25: Land Gift from Nashoba View Associates *Planning Board*

Article 26: Land Gift from Westford West Realty Trust *Planning Board*

Article 27: Amendment to Zoning Bylaw *Planning Board*

Mike Green, Vice Chairman of the Planning Board, explained Articles 19 through 27. The Planning Board to take positions on April 29, 2003.

Selectmen to Discuss LIP Guidelines

Andrea Peraner-Sweet, Planning Board, was present to discuss any proposed revisions to the LIP Protocol submitted to the Board at the last meeting. Loiselle was concerned with public notification and noted that other towns post a zoning notice on the property in question. Peraner-Sweet stated that a provision will be added to the guidelines for notification of abutters. It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to accept the LIP Protocol with the provision including notification of abutters added to the Protocol.

Licenses and Permits

Request for Waiver for Penalty Fee for Dog License – Healy-Coffin summarized an e-mail from Jim Hughes, 25 Griffin Road, requesting a waiver of the penalty fee for a dog license. Hughes indicated that he was 1.5 days late due to illness. It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to waive the penalty fee for a dog license.

Request to Hang Banner – Water Department – Healy-Coffin referenced a request from the Water Department to hang a banner on Main Street near the Library advertising their Annual Open House on a Wednesday night during Drinking Water Week, the first full week of May. Ledoux stated that this request conflicts with the banner for the Apple Blossom Festival. The Board requested additional information regarding the banner request. Ledoux stated that he would speak to Warren Sweetser, Water Superintendent, at the department head meeting on Wednesday, April 16, 2003. No action taken by the Board.

Franklin Property

No report at this time.

Brookside Mill

Ledoux reported that the HOME application was delivered to the State on time. Romeo asked if the construction had started today. Ledoux stated that he drove by the site yesterday and that construction had not started at that time. Healy-Coffin and Romeo to drive by the site.

Board Reports/Updates

None at this time.

Old Business/New Business

Discussion of Town Garage Bid – Discussion continued from the meeting of April 8th regarding the low bidder informing the Town of a clerical error in the amount of \$300,000. The discussion included strategy outlined by Town Counsel regarding the award of the bid. Ledoux reported that Standen Construction (low bidder) entered into a contract with the Town at the price they bid. Romeo was concerned with the contractor possibly cutting corners.

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Romeo asked that the project be carefully monitored. Ledoux stated that the Highway Garage Committee is in discussions regarding the hiring of an experienced firm as Clerk of the Works to be on the site everyday.

Letter of Resignation – Received from Christie Williams resigning from the Conservation Commission. Ledoux to send a letter of appreciation.

Northern Middlesex Council of Governments (NMCOG) Traffic

Improvements – Ledoux reported that the federal government has freed up money for the traffic improvement plan involving the traffic lights at Route 495. Bids could be underway by October, 2003.

Open Items

- 4/15-1 Ledoux to speak to Town Counsel or Bond Counsel re: bonds associated with emergency generator for the Day School and statutory authority of School Committee re: use of Millennium School.
- 4/15-2 Ledoux to get opinion from Town Counsel re: petitioners making motions at Town Meeting.
- 4/15-3 Ledoux to invite Conservation Commission to 4/29 meeting for an update re: Article 17.
- 4/15-4 Ledoux to speak to Warren Sweetser re: banner request/Water Dept.
- 4/15-5 Ledoux to send letter of appreciation to Christie Williams re: resignation from Conservation Commission.

Adjournment

It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to adjourn the meeting at 9:30 p.m.

Steve Ledoux, Town Manager

Dini Healy-Coffin, Chairman